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February 17, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 3763
Examiner: To Be Assigned
Confirmation No.: 4166

Re: U.S. Utility Patent Application
Application No. 10/617,804; Filed: July 14, 2003
For: **Needle-Less Injector of Miniature Type**
Inventors: Zierenberg *et al.*
Our Ref: 0652.2060002/ALF/MJM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO/SB/08A (5 Pages) and Form PTO/SB/08B (1 Page);
3. A copy of documents FP18, FP20-FP28, and NPLD4-NPLD6 (13 documents); and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
February 17, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Albert L. Ferro
Attorney for Applicants
Registration No. 44,679

ALF/MJM/awt
Enclosures

229115_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Zierenberg *et al.*

Appl. No.: 10/617,804

Filed: July 14, 2003

For: **Needle-Less Injector of Miniature
Type**

Confirmation No.: 4166

Art Unit: 3763

Examiner: *To Be Assigned*

Atty. Docket: 0652.2060002/ALF/MJM

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO/SB/08A and PTO/SB/08B forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first

cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ 5. Documents FP19-FP23 were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☒ 7. Copies of documents FP18, FP20-FP28, and NPLD4-NPLD6 are submitted herewith. Document FP19 (HU 200699) is not submitted because submission of it would be cumulative to FP18 (EP 406 778 A1). *See* 37 C.F.R. §1.98(c). EP 406 778 is an equivalent of HU 200699. Copies of EP 406 778 and an English-language abstract of EP 406 778 are submitted herewith.
- ☒ 8. Copies of documents AA1-AF1, FP1-FP17, and NPLD1-NPLD3 were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/797,001, filed March 2, 2001, which is relied upon for an

earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08A and PTO/SB/08B forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

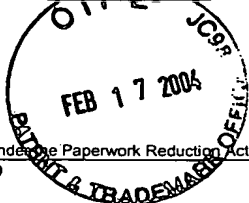
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Albert L. Ferro
Attorney for Applicants
Registration No. 44,679

Date: February 17, 2004

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Complete If Known

Application Number	10/617,804
Filing Date	July 14, 2003
First Named Inventor	Bernd ZIERENBERG
Art Unit	3763
Examiner Name	To Be Assigned
Attorney Docket Number	0652.2060002/ALF/MJM

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If Known)			
	AA1	US-5,964,416	10-12-1999	Jaeger <i>et al.</i>	
	AB1	US-5,846,233	12-08-1998	Lilley <i>et al.</i>	
	AC1	US-3,802,430	04-09-1974	Schwebel <i>et al.</i>	
	AD1	US-5,899,879	05-04-1999	Umbaugh	
	AE1	US-5,503,627	04-02-1996	McKinnon <i>et al.</i>	
	AF1	US-5,062,830	11-05-1991	Dunlap	
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FOREIGN PATENT DOCUMENTS

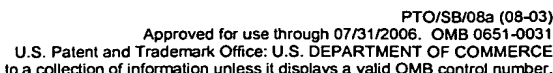
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ⁴ Kind Code ⁵ (in known)				
	FP1	EP 0 063 341	10-27-1982	Dettbarn <i>et al.</i>		
	FP2	EP 0 063 342	10-27-1982	Dettbarn <i>et al.</i>		
	FP3	EP 0 133 471	02-27-1985	Fejes <i>et al.</i>		
	FP4	EP 0 347 190	12-20-1989	Finger, Richard F.		
	FP5	EP 0 427 457 B1	05-15-1991	McKinnon <i>et al.</i>		
	FP6	DE 195 45 226 C1	06-19-1997	Eicher <i>et al.</i>		

Examiner Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet

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Application Number

10/617.804

Filing Date

July 14, 2003

First Named Inventor

Bernd ZIERENBERG

Art Unit

3763

Examiner Name

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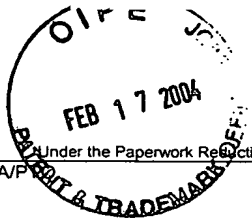
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	10/617,804
				Filing Date	July 14, 2003
				First Named Inventor	Bernd ZIERENBERG
				Art Unit	3763
				Examiner Name	To Be Assigned
Sheet	3	of	5	Attorney Docket Number	0652.2060002/ALF/MJM

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If Known)			
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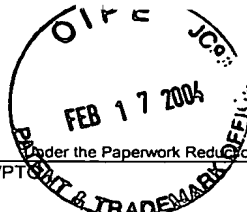
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ⁴ Kind Code ⁵ (in known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	FP13	EP 0 615 762 B1	09-21-1994	Michel, Peter		
	FP14	WO 90/04989	05-17-1990	Dalto, Tino		
	FP15	WO 93/03779	03-04-1993	Weston, Terence E.		
	FP16	WO 97/47341	12-18-1997	Moreau, Defarges		
	FP17	WO 99/07435	02-18-1999	Umbaugh, Jerald C.		
	FP18	EP 0 406 778 A1	01-09-1991	Gyula <i>et al.</i>		

Examiner Signature	Date Considered
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/617,804
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First Named Inventor	Bernd ZIERENBERG
Art Unit	3763
Examiner Name	To Be Assigned
Attorney Docket Number	0652.2060002/ALF/MJM

Sheet 4 of 5

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If Known)			
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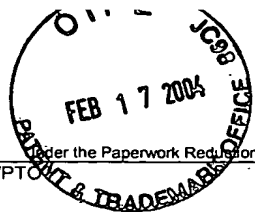
FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ⁴ Kind Code ⁵ (in known)				
	FP19	HU 200699	08-28-1990	Gyula <i>et al.</i>		
	FP20	HU 219 325 B	03-28-2001	Bell <i>et al.</i>		
	FP21	HU 214 350 B	03-30-1998	Mátrai <i>et al.</i>		
	FP22	HU 207 231 A	03-29-1993	Mátrai <i>et al.</i>		
	FP23	HU 216 308 B	06-28-1999	Bellhouse <i>et al.</i>		
	FP24	FR 2 629 706	10-13-1989	Accaries <i>et al.</i>		

Examiner Signature	Date Considered
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Application Number	10/617,804
Filing Date	July 14, 2003
First Named Inventor	Bernd ZIERENBERG
Art Unit	3763
Examiner Name	To Be Assigned
Attorney Docket Number	0652.2060002/ALF/MJM

Sheet 5 of 5

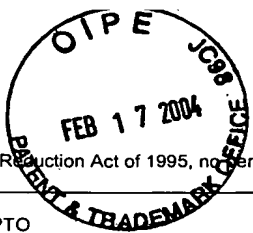
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		Country Code ³ Kind Code ⁵ (in known)				
	FP25	WO 96/25190	08-22-1996	Bellhouse <i>et al.</i>		
	FP26	WO 96/20022	07-04-1996	Bellhouse <i>et al.</i>		
	FP27	WO 95/16481	06-22-1995	Mátra <i>et al.</i>		
	FP28	WO 94/24263	10-27-1994	Bellhouse <i>et al.</i>		

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M PEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	
				10/617,804	
				Filing Date	
				July 14, 2003	
				First Named Inventor	
Bernd ZIERENBERG					
Art Unit					
3763					
Examiner Name					
To Be Assigned					
Sheet	1	of	1	Attorney Docket Number	
				0652.2060002/ALF/MJM	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published	T²
	NPLD1	Derwent Information, "Medication Metering Distributor for Hypodermic-Has dosing unit on flexible wall transmitting power pulses," Abstract for DE 2551992, publication date unknown.	
	NPLD2	Derwent Information, "Percutaneous injection pistol partic. For rapid mass vaccination-discharges high velocity liq. Jet by trigger release of loaded spring," Abstract for DE 3030671, publication date unknown.	
	NPLD3	Derwent Information, "Method and appts. for grinding of old brasques and similar products - comprises crushing operation, screening operation to separate from the crushed product the grains having the dimensions of the finished prod., and a grinding operation to reduce the crushed product to required dimensions., "Abstract for EP 675762, publication date unknown.	
	NPLD4	Derwent Information, "Injection without needle instrument - has calibration cylinder guided in housing, and spring charging stem adjusted by nut," Abstract for EP 406 778, publication date unknown.	
	NPLD5	Derwent Information, "Liquid injector without needle - with piston driven by spring primed with compressed air and abruptly released," Abstract for FR 2 629 706, publication date unknown.	
	NPLD6	English language translation of HU search report.	

Examiner Signature		Date Considered	
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